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March 2, 2020

By ECF and Federal Express

Hon. Eric R. Komitee, U.S.D.J.
United States District Court
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Palumbo, et al. (1:20-cv-00473-EK-RLM)

Dear Judge Komitee:

In anticipation for tomorrow's hearing, defendants wish to bring to the Court's attention several differences between the Government's original complaint and application for an injunction, and the Government's reply memorandum, filed at 2:56 a.m. this morning in support of the preliminary injunction.

Argument	Complaint	Memorandum (docket no. 47)
Yodel's role	A "legitimate" client (1/29/20 Tr. 9:13, 10:24, docket 36-2)	A (fraudulent) call center (pages 5, 22)
DID/ Return-Calling Services	Not mentioned	Pages 7-8, 13, 17
Civil Investigative Demands	Not mentioned	Page 12

We note that the Government has omitted the word "reply" from the title of its memorandum, although that is clearly its function. We understand that the Court limits reply memoranda to 10 pages (Individual Rule III(C)(1)).

Thank you for your attention to this matter.

Respectfully yours,

Theodor Bruening

Cc: Dara A. Olds, Esq. (by ECF)
Bonni Perlin, Esq. (by ECF)
Charles B. Dunn, Esq. (by ECF)
Ann F. Entwistle, Esq. (by ECF)